

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF DELAWARE

UNITED STATES,

Plaintiff,

v.

BEN-CEN, INC.

Defendant.

No.

ORDER ENFORCING INTERNAL REVENUE SUMMONS

Upon consideration of the summons issued by the United States Internal Revenue Service to Ben-Cen, Inc., a Delaware Corporation on July 28, 2005, and the Court having found (1) that the summons was issued for a legitimate purpose, (2) that the summoned testimony and records may be relevant to that purpose, (3) that the information sought is not already in the possession of the Internal Revenue Service, and (4) that the administrative steps required by the Internal Revenue Code have been followed, it is therefore

ORDERED, ADJUDGED, and DECREED that Ben-Cen, Inc., a Delaware Corporation appear before Special Agent Thomas Anastasia, or his designated representative, at the time and place to be designated by Special Agent Thomas Anastasia or his representative (or any time and place to which they are able to agree), then and there to testify and to produce for examination and copying the books, papers, records, and other data demanded by the summons served upon Ben-Cen, Inc., a Delaware Corporation, on July 28, 2005, in the investigation of Russell D. Applegate, the examination to continue from day to day until completed.

It is further ORDERED, ADJUDGED, and DECREED that the expenses and fees of the United States be assessed against Ben-Cen, Inc., a Delaware Corporation.

DONE this ____ day of _____, 2006, at Wilmington, Delaware.

UNITED STATES DISTRICT JUDGE